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1/25/07

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Counsel for the Official Committee Of Equity Security Holders
 of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
 DISTRICT OF NEVADA**

In re:) BK-S-06-10725-LBR
 USA COMMERCIAL MORTGAGE COMPANY,) Chapter 11
 Debtor.)

In re:) BK-S-06-10726-LBR
 USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10727-LBR
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10728-LBR
 USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
 Debtor.)

In re:) BK-S-06-10729-LBR
 USA SECURITIES, LLC,) Chapter 11
 Debtor.)

Affects)

☒ All Debtors)

☐ USA Commercial Mortgage Co.)

☐ USA Securities, LLC)

☐ USA Capital Realty Advisors, LLC)

☐ USA Capital Diversified Trust Deed)

☐ USA First Trust Deed Fund, LLC)

Date: November 28, 2006

Time: 1:30 p.m.

**NOTICE OF ENTRY OF STIPULATION AND ORDER BETWEEN OFFICIAL COMMITTEE
 OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC
 AND KANTOR CLAIMANTS CONTINUING HEARING ON OMNIBUS OBJECTION OF THE
 OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST
 TRUST DEED FUND, LLC TO CLAIMS SUPERSEDED BY COMPROMISE CONTAINED IN
 DEBTORS' THIRD AMENDED JOINT CHAPTER 11 PLAN OF REORGANIZATION (AS
 MODIFIED) (AFFECTS DEBTOR USA CAPITAL FIRST TRUST DEED FUND, LLC)**

1
2 PLEASE TAKE NOTICE that a Stipulation and Order Between Official Committee of
3 Equity Security Holders of USA Capital First Trust Deed Fund, LLC and Kantor Claimants
4 Continuing Hearing on Omnibus Objection of The Official Committee of Equity Security
5 Holders of USA Capital First Trust Deed Fund, LLC to Claims Superseded by Compromise
6 Contained in Debtors' Third Amended Joint Chapter 11 Plan of Reorganization (as Modified)
7 (Affects Debtor USA Capital First Trust Deed Fund, LLC) was entered on the 25th day of
8 January, 2007, a true and correct copy of which is attached hereto.
9

10 DATED this 25th day of January, 2007.

11 SHEA & CARLYON, LTD.

12 
13

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15 Nevada Bar No. 002666

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20 and

21 STUTMAN, TREISTER & GLATT, P.C.

22 FRANK A. MEROLA

23 EVE H. KARASIK

24 CHRISTINE M. PAJAK

25 1901 Avenue of the Stars, 12th Floor

26 Los Angeles, CA 90067
27
28



Entered on Docket
January 25, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.
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Counsel for the Official Committee Of
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

BK-S-06-10725-LBR
Chapter 11

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

BK-S-06-10726-LBR
Chapter 11

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,
Debtor.

BK-S-06-10727-LBR
Chapter 11

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

BK-S-06-10728-LBR
Chapter 11

In re:
USA SECURITIES, LLC,
Debtor.

BK-S-06-10729-LBR
Chapter 11

Affects

- ☐ All Debtors
☐ USA Commercial Mortgage Co.
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed
☒ USA First Trust Deed Fund, LLC

**STIPULATION BETWEEN OFFICIAL COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC AND KANTOR
CLAIMANTS CONTINUING HEARING ON OMNIBUS OBJECTION OF THE
OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL
FIRST TRUST DEED FUND, LLC TO CLAIMS SUPERSEDED BY COMPROMISE
CONTAINED IN DEBTORS' THIRD AMENDED JOINT CHAPTER 11 PLAN OF
REORGANIZATION (AS MODIFIED) (AFFECTS DEBTOR USA CAPITAL FIRST
TRUST DEED FUND, LLC)**

IT IS HEREBY STIPULATED and AGREED by and between the Official
Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC (the "FTDF
Committee), on one hand, and Kantor Nephrology Consultants, Ltd. 401(k) PSP, Dr. Gary
Kantor, and Lynn M. Kantor (the "Kantor Claimants"), on the other hand, as follows:

WHEREAS the FTDF Committee filed the "Omnibus Objection Of The Official
Committee Of Equity Security Holders Of USA Capital First Trust Deed Fund, LLC To Claims
Superseded By Compromise Contained In Debtors' Third Amended Joint Chapter 11 Plan Of
Reorganization (As Modified)" (the "Objection") pursuant to which it objected to the claims filed
by the Kantor Claimants against USA Capital First Trust Deed Fund, LLC (the "FTDF");

WHEREAS the Objection was previously noticed for hearing on January 31, 2007
at 9:30 a.m.;

WHEREAS the deadline to respond (the "Response Deadline") to the Objection
was previously set on January 24, 2007;

WHEREAS the FTDF Committee and the Kantor Claimants have agreed to
continue the Response Deadline and the hearing on the Objection as it pertains to the claims filed
by the Kantor Claimants in order to evaluate whether the parties can reach a settlement of their
disputes;

NOW, THEREFORE, the FTDF Committee and the Kantor Claimants hereby
stipulate and agree as follows:

1. The hearing on the Objection as it pertains to the claims filed by the
Kantor Claimants is continued to the March 1, 2007 at 9:30 a.m.

2. The deadline for the Kantor Claimants to file and serve any response to
the Objection shall be February 20, 2007.

1 Dated: January 23, 2007

2 By: /s/ Andrew Paul
3 FRANK A. MEROLA (CA State Bar
4 No. 136934),
5 EVE H. KARASIK (CA State Bar
6 No. 155356), and
7 ANDREW M. PARLEN (CA State Bar No.
8 230429), Members of
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By: /s/ Michael M. Schmahl
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COUNSEL TO DR. GARY KANTOR, LYNN
KANTOR, AND KANTOR NEPHROLOGY
CONSULTANTS, LTD. 401(k) PSP

9 and

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15 COUNSEL FOR THE
16 OFFICIAL COMMITTEE OF EQUITY
17 SECURITY HOLDERS
18 OF USA CAPITAL FIRST TRUST DEED
19 FUND, LLC

17 Approved / Disapproved by:
18 OFFICE OF THE U.S. TRUSTEE

19 By: _____
20 August B. Landis

1 Dated: January 23, 2007

2 By: /s/

3 FRANK A. MEROLA (CA State Bar
4 No. 136934),
5 EYE H. KARASIK (CA State Bar
6 No. 153356), and
7 ANDREW M. PARLEN (CA State Bar No.
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19 COUNSEL FOR THE
20 OFFICIAL COMMITTEE OF EQUITY
21 SECURITY HOLDERS
22 OF USA CAPITAL FIRST TRUST DEED
23 FUND, LLC

24 Approved/Disapproved by:
25 OFFICE OF THE U.S. TRUSTEE

26 By: [Signature]
27 August G. Landis

By: /s/

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COUNSEL TO DR. GARY KANTOR, LYNN
KANTOR, AND KANTOR NEPHROLOGY
CONSULTANTS, LTD. 401(C) RSP

ORDER

IT IS SO ORDERED.

PREPARED AND SUBMITTED by:

STUTMAN, TREISTER & GLATT, P.C. and
SHEA & CARLYON, LTD.

By: 

Andrew M. Parlen, Esq.

Shlomo S. Sherman, Esq.

Attorneys for the Official Committee of
Equity Security Holders of USA Capital First
Trust Deed Fund, LLC

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